
TITLE 312 NATURAL RESOURCES COMMISSION

Emergency Rule
LSA Document #11-255(E)**DIGEST**

Temporarily amends [312 IAC 18-3-18](#), which provides standards and locations for the control or quarantine of emerald ash borers, to include Adams County, Allen County, Benton County, Blackford County, Brown County, Carroll County, Cass County, Clinton County, Dekalb County, Delaware County, Dubois County, Elkhart County, Floyd County, Fulton County, Grant County, Hamilton County, Hancock County, Harrison County, Hendricks County, Howard County, Huntington County, Jasper County, Kosciusko County, LaGrange County, Lake County, LaPorte County, Lawrence County, Madison County, Marion County, Marshall County, Miami County, Monroe County, Newton County, Noble County, Orange County, Porter County, Pulaski County, Randolph County, Ripley County, St. Joseph County, Starke County, Steuben County, Tippecanoe County, Tipton County, Wabash County, Washington County, Wells County, White County, and Whitley County in the areas of control or quarantine based upon inspections by the Division of Entomology and Plant Pathology of sites in Indiana where agricultural, horticultural, or sylvan products are being grown, shipped, sold, or stored, and the Director of the Department of Natural Resources has determined under [IC 14-24-4-2](#) that emerald ash borers are present within the state so as to warrant their quarantine and control. Repeals LSA Document #10-263(E), posted at [20100512-IR-312100263ERA](#); LSA Document #10-356(E), posted at [20100609-IR-312100356ERA](#); and LSA Document #10-357(E), posted at [20100609-IR-312100357ERA](#). Effective May 1, 2011.

SECTION 1. This document assists in the implementation of [IC 14-24-4](#) and supplements [312 IAC 18-3-18](#).

SECTION 2. The definitions in [IC 14-8](#), [IC 14-24](#), [312 IAC 1](#), [312 IAC 18-1](#), and [312 IAC 18-3-18](#) apply throughout this document.

SECTION 3. (a) The following counties are regulated under [312 IAC 18-3-18](#) as infested areas where emerald ash borers are present:

- (1) Adams County.
- (2) Allen County.
- (3) Benton County.
- (4) Blackford County.
- (5) Boone County.
- (6) Brown County.
- (7) Carroll County.
- (8) Cass County.
- (9) Clinton County.
- (10) Dekalb County.
- (11) Delaware County.
- (12) Dubois County.
- (13) Elkhart County.
- (14) Floyd County.
- (15) Fulton County.
- (16) Grant County.
- (17) Hamilton County.
- (18) Hancock County.
- (19) Harrison County.
- (20) Hendricks County.
- (21) Howard County.
- (22) Huntington County.
- (23) Jasper County.
- (24) Jay County.
- (25) Kosciusko County.
- (26) LaGrange County.
- (27) Lake County.
- (28) LaPorte County.
- (29) Lawrence County.
- (30) Madison County.

- (31) Marion County.
- (32) Marshall County.
- (33) Miami County.
- (34) Monroe County.
- (35) Newton County.
- (36) Noble County.
- (37) Orange County.
- (38) Porter County.
- (39) Pulaski County.
- (40) Randolph County.
- (41) Ripley County.
- (42) St. Joseph County.
- (43) Starke County.
- (44) Steuben County.
- (45) Tippecanoe County.
- (46) Tipton County.
- (47) Wabash County.
- (48) Washington County.
- (49) Wells County.
- (50) White County.
- (51) Whitley County.

(b) Each of the following is exempted from this SECTION and [312 IAC 18-3-18](#):

- (1) Uncomposted ash chips and uncomposted ash bark chips not larger than one (1) inch in diameter.
- (2) Firewood of any nonconiferous species with bark removed.

(c) Inspection and certification are not required for a person to move a regulated article to a contiguous infested area, as long as the regulated article is not also moved through a nonregulated area.

(d) This SECTION supersedes [312 IAC 18-3-18\(c\)](#) and [312 IAC 18-3-18\(l\)](#).

SECTION 4. THE FOLLOWING ARE REPEALED: LSA Document #10-263(E), posted at [20100512-IR-312100263ERA](#); LSA Document #10-356(E), posted at [20100609-IR-312100356ERA](#); LSA Document #10-357(E), posted at [20100609-IR-312100357ERA](#).

LSA Document #11-255(E)

Filed with Publisher: April 27, 2011, 11:13 a.m.

Posted: 05/04/2011 by Legislative Services Agency

An [html](#) version of this document.